

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/4/2024

UNITED STATES OF AMERICA,

-v-

LUIS BONILLA,

Defendant.

24-cr-35 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

On February 23, 2024, the Court received, under seal, a report from the Probation Office regarding specifications of violation of the terms and conditions of Mr. Bonilla's supervised released. The Court issued a summons for Mr. Bonilla to appear before the Court on March 5, 2024. The Court also directed that arrangements be made for Mr. Bonilla to appear before a Magistrate Judge for the appointment of counsel in advance of the March 5, 2024 conference. However, this morning, the Probation Officer advised the Court that counsel has not yet been appointed and that the CJA counsel on duty for March 5, 2024 likely is not available to appear on behalf Mr. Bonilla at the time that he is scheduled to appear before this Court.

Accordingly, IT IS HEREBY ORDERED that the conference that was previously scheduled to take place on March 5, 2024 is ADJOURNED. The government and the Probation Office must promptly advise Mr. Bonilla not to appear in Courtroom 18C tomorrow morning. The government and the Probation Office must also promptly arrange for the appointment of counsel for Mr. Bonilla and arraignment on the specifications by a Magistrate Judge. The parties must order a copy of the transcript of the arraignment and file the transcript on the docket and provide a courtesy copy to the Court via email to Chambers.

IT IS FURTHER ORDERED that **by March 7, 2024**, the government and Mr. Bonilla's counsel must file a joint letter informing the Court how they anticipate proceeding in this matter. In

particular, the parties must inform the Court whether they anticipate an evidentiary hearing on the specifications, pursuant to Rule 32.1(b)(2) of the Federal Rules of Criminal Procedure. If so, the parties must advise the Court whether Mr. Bonilla will waive a preliminary hearing, pursuant to Rule 32.1(b)(1), or whether there is any reason the Court cannot conduct both hearings at the same time. The parties must also propose a schedule for the filing of any contemplated evidentiary motions, as well as witness lists, exhibit lists, and 3500 material. The joint letter should also state the parties' positions on Mr. Bonilla's bail status in the interim.

SO ORDERED.

Dated: March 4, 2024
New York, NY



MARY KAY VYSKOCIL
United States District Judge